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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,500	03/14/2001	Jarmo Juhani Savolainen	032986-013	3615

27045 7590 01/08/2004

ERICSSON INC.  
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EXAMINER

NGUYEN, JOSEPH D

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 01/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/808,500

Applicant(s)

SAVOLAINEN, JARMO JUHANI

Examiner

Joseph D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10-12, 15-16, 18-21, 24-25, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Block et al. (6,388,938).

Regarding claim 10, Block et al. discloses a method of monitoring the chargeable activities of a user in a mobile telecommunications network (abstract, fig. 5a, col. 1 line 56 thru col. 2 line 25), the method comprising the steps of:

a) Monitoring a least a first condition (C1) (voice channel) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53) and a second condition (C2) (data connection) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53) on which charging is based;

b) normalizing said first condition against a first normalizing value (N1) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53) and said second condition against a second normalizing value (N2) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53), said step of normalizing comprising dividing the value of said

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condition by said normalizing value to yield normalized conditions (the pulse charge generates for local or long distance is based on the division of condition by normalizing value to yield normalized conditions) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53);

c) adding said first (C1/N1) and second (C2/N2) normalized conditions to yield a total consumed charging units value (col. 1 line 27 thru col. 2 line 25, col. 6 line 60 thru col. 7 line 4, and col. 25 lines 15-30), and

d) comparing said total consumed charging units value against a charging unit authorization limit (fig. 7, 9, col. 25 line 42 thru col. 27 line 34).

Regarding claim 11, Block et al. further discloses the method according to claim 10, wherein said conditions include time based and data transfer volume based conditions (col. 26 lines 36-53).

Regarding claim 12, Block et al. further discloses the method according to claim 10, wherein said steps of monitoring and normalizing are carried out at the serving node for the user (Home CO switch (fig. 5b-d, col. 1 line 27 thru col. 2 line 25, col. 6 line 60 thru col. 7 line 4, and col. 25 lines 15-30).

Regarding claim 15, Block et al. further discloses the method according to claim 10, wherein the normalizing values are transferred from a charge control function of said network, or of another network to which the user is a subscriber (col. 16 lines 10-27), either upon initiation of a chargeable activity or prior to such initiation (fig. 1a, col. 4 line 4 thru col. 5 line 31, and col. 16 lines 10-27).

Regarding claim 16, Block et al. further discloses the method according to claim 15, wherein a said charging unit authorization limit, which defines a cost limit up to which the user is authorized (fig. 7, 9, col. 25 line 42 thru col. 27 line 34), and against which a monitored condition or combination of monitored conditions is compared (fig. 7, 9, col. 25 line 42 thru col. 27 line 34), is transferred from said charge control function to said serving node (fig. 7, 9, col. 25 line 42 thru col. 27 line 34).

Regarding claim 18, Block et al. further discloses the method according to claim 10, wherein at least one normalized monitored condition, or a combination of normalized monitored conditions, is compared against a predetermined value which defines a cost limit up to which the user is authorized (col. 6 line 45 thru col. 7 line 63), and, if the condition or combination of conditions reaches the predetermined value, the serving node send an authorization request to a charge controlling node (col. 6 line 45 thru col. 7 line 63, and col. 25 line 15 thru col. 27 line 33).

Regarding claim 19, Block et al. discloses a node (CO switch) of a mobile telecommunications network, which serves one or more mobile users (fig. 5a, col. 16 lines 10-39), the node comprising:

a) means for monitoring at least a first condition (C1) (voice channel) (voice channel) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53) and a second condition (C2) (data connection) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53) on which charging is based ;

b) means for normalizing said first condition against a first normalizing value (N1) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col. 26 lines 19-53) and said second condition against a second normalizing value (N2) (fig. 5a-8, col. 1 line 28 thru col. 2 line 25, and col.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-14, 17, 22-23, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block et al. (6,377,938) in view of Deakin (6,463,275).

Regarding claim 13, Block et al. further discloses the method according to claim 12, wherein said mobile telecommunications network (fig. 5a). However, Block et al. does not specifically disclose the mobile telecommunications network is a Global System for Mobile Communications (GSM) network and said serving node is a Mobile Switching Center (MSC).

Deakin teaches wherein said mobile telecommunications network is a Global System for Mobile Communications (GSM) network (fig. 1, col. 1 lines 57-63) and said serving node is a Mobile Switching Center (MSC) (fig. 1, col. 1 lines 57-63). Therefore, It would have been obvious to one skilled in the art at the time the invention was made to modify Block et al. system with the teaching of Deakin of mobile telecommunications network is a Global System for Mobile Communications (GSM) network and serving node is a Mobile Switching Center (MSC) in order to provide specific functionality to support the billing type, i.e. Hot Billing, prepaid and normal and allowing all data to be routed to the correct billing system for immediate processing; this can be fast flexible and low priced.

Regarding claim 14, Block et al. further discloses the method according to claim 12, wherein said mobile telecommunications network (fig. 5a). However, Block et al. does not specifically disclose the mobile telecommunications network is a Global System for Mobile Communications (GSM) network or a serving General Packet Radio Service (GPRS) support Node (SGSN).

Deakin teaches wherein said mobile telecommunications network is a Global System for Mobile Communications (GSM) network (fig. 1, col. 1 lines 57-63) or a Serving General Packet Radio Service (GPRS) support Node (SGSN) (fig. 1, col. 1 lines 57-63). Therefore, It would have been obvious to one skilled in the art at the time the invention was made to modify Block et al. system with the teaching of Deakin of mobile telecommunications network is a Global System for Mobile Communications (GSM) network or GPRS support node (SGSN) in order to provide specific functionality to support the billing type, i.e. Hot Billing, prepaid and normal and allowing all data to be routed to the correct billing system for immediate processing; this can be fast flexible and low priced.

Regarding claim 17, Block et al. further discloses the method according to claim 10, wherein said user is a subscriber of a home network and the normalizing values are transferred from the home network. However, Block et al. does not specifically disclose the user is a subscriber of a home GSM network and is roaming in a foreign GSM network, and the normalizing values are transferred from the home network to the serving node of the foreign

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network using the Customized Applications for Mobile Network Enhanced Logic (CAMEL) protocol.

Deakin teaches the user is a subscriber of a home GSM network and is roaming in a foreign GSM network (fig. 1, col. 3 line 15 thru col. 4 line 20), and the normalizing values are transferred from the home network to the serving node of the foreign network using the Customized Applications for Mobile Network Enhanced Logic (CAMEL) protocol (fig. 1, col. 3 line 15 thru col. 4 line 20). Therefore, It would have been obvious to one skilled in the art at the time the invention was made to modify Block et al. system with the teaching of Deakin of home GSM network and is roaming in a foreign GSM network and the normalizing values are transferred from the home network to the serving node of the foreign network using CAMEL protocol in order to provide specific functionality to support the billing type, i.e. Hot Billing, prepaid and normal and allowing all data to be routed to the correct billing system for immediate processing; this can be fast flexible and low priced.

Regarding claim 22, this claim is rejected for the same reason as set forth in claim 13.

Regarding claim 23, this claim is rejected for the same reason as set forth in claim 14.

Regarding claim 26, this claim is rejected for the same reason as set forth in claim 17.

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## **Response to Arguments**

Applicant's arguments with respect to claims 10-27 have been considered but are moot in view of the new ground(s) of rejection.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

Or:

(703) 305-9509 (for informal or draft communications, please label

"PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA. Sixth floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph Nguyen



Jan. 5, 2004



WILLIAM TROST  
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